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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 MICHELLE GOMEZ,

12 Plaintiff,

13 v.

14 KATHY CIUFFINI,

15 Defendants.  
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Case No. 1:23-cv-01696-KES-EPG

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

Docs. 1, 6

18 Plaintiff Michelle Gomez, proceeding pro se, initiated this action by filing a complaint on  
19 December 8, 2023. Doc. 1. On January 9, 2024, the assigned magistrate judge entered findings  
20 and recommendations, recommending that plaintiff's complaint be dismissed sua sponte without  
21 leave to amend as plaintiff's claims are barred by the doctrine of judicial immunity and the  
22 Eleventh Amendment. Doc. 6.

23 The findings and recommendations were served on plaintiff and contained notice that  
24 objections were to be filed within twenty-one days of service. *Id.* at 5. Plaintiff has not filed any  
25 objections, and the time to do so has expired.

26 In accordance with 28 U.S.C. § 636(b)(1), the court has conducted a de novo review of  
27 this case. Having carefully reviewed the file, the court concludes the findings and  
28

1 recommendations are supported by the record and proper analysis. Additionally, to the extent the  
2 complaint seeks relief from the judgment of the state court against her, such a “de facto appeal”  
3 of a state court’s decision is prohibited by the *Rooker-Feldman* doctrine. *See, e.g., Hooper v.*  
4 *Brnovich*, 56 F.4th 619, 624 (9th Cir. 2022) (“Under the *Rooker-Feldman* doctrine, a state-court  
5 decision is not reviewable by lower federal courts. This doctrine bars a federal district court from  
6 exercising subject matter jurisdiction not only over an action explicitly styled as a direct appeal,  
7 but also over the ‘de facto equivalent’ of such an appeal.” (cleaned up)).

8 Accordingly, IT IS HEREBY ORDERED:

- 9 1. The findings and recommendations issued January 9, 2024, Doc. 6, are adopted in  
10 full;
- 11 2. Plaintiff’s complaint is dismissed without leave to amend; and
- 12 3. The Clerk of the Court is directed to close this case.

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15 IT IS SO ORDERED.

16 Dated: October 10, 2024

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UNITED STATES DISTRICT JUDGE